

THIRD DAY.

(Thursday, July 16, 1931.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called and the following members were present:

Mr. Speaker.	Herzik.
Adams of Harris.	Hill.
Adams of Jasper.	Hines.
Adamson.	Holder.
Adkins.	Holland.
Akin.	Holloway.
Alsup.	Hoskins.
Anderson.	Howsley.
Baker.	Hubbard.
Barron.	Hughes.
Bedford.	Jackson.
Bounds.	Johnson
Boyd.	of Dallam.
Bradley.	Johnson of Morris.
Brice.	Jones of Shelby.
Brooks.	Jones of Atascosa.
Bryant.	Justiss.
Burns of Walker.	Kayton.
Carpenter.	Keller.
Caven.	Kennedy.
Coltrin.	Laird.
Coombes.	Lasseter.
Cox of Lamar.	Lee.
Cox of Limestone.	Lemens.
Cunningham.	Leonard.
Dale.	Lilley.
Daniel.	Lockhart.
Davis.	Long.
Donnell.	McCombs.
Dowell.	McGill.
Dunlap.	McGregor.
Duvall.	Magee.
Dwyer.	Martin.
Elliott.	Mehl.
Englehard.	Moffett.
Farmer.	Morse.
Farrar.	Munson.
Ferguson.	Murphy.
Finn.	Nicholson.
Fisher.	Olsen.
Forbes.	O'Quinn.
Ford.	Patterson.
Gilbert.	Petsch.
Giles.	Ramsey.
Goodman.	Ratliff.
Graves.	Ray.
Greathouse.	Reader.
Grogan.	Richardson.
Hanson.	Rogers.
Hardy.	Rountree.
Harman.	Sanders.
Harrison	Satterwhite.
of El Paso.	Savage.
Harrison	Scott.
of Waller.	Shelton.
Hatchitt.	Sherrill.
Hefley.	Smith of Wood.

Sparkman.	Van Zandt.
Stephens.	Vaughan.
Steward.	Veatch.
Strong.	Wagstaff.
Sullivant.	Walker.
Tarwater.	Warwick.
Terrell	Weinert.
of Cherokee.	West of Coryell.
Terrell	West of Cameron.
of Val Verde.	Wiggs.
Towery.	Wyatt.
Turner.	Young.

Absent.

Dodd.	Smith of Bastrop.
Pope.	

Absent—Excused.

Albritton.	Johnson
Beck.	of Dimmit.
Bond.	McDougald.
Burns	Mathis.
of McCulloch.	Metcalfe.
Claunch.	Moore.
DeWolfe.	Stevenson.
Fuchs.	Westbrook.

A quorum was announced present.

Prayer was offered by the Rev. John W. Holt, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Albritton for today, on motion of Mr. Baker.

Mr. Fuchs for today, on motion of Mr. Turner.

Mr. Mathis for today and the balance of the week, on motion of Mr. Hefley.

Mr. Westbrook for today, on motion of Mr. Ford.

Mr. Beck for today, on motion of Mrs. Hughes.

Mr. Metcalfe for today, on motion of Mr. Dowell.

The following members were granted leaves of absence, on motion of Mr. Ford, to attend the Mills County Fair at Goldthwaite, Texas: Messrs. Metcalfe, DeWolfe, Burns of McCulloch, Howsley, Johnson of Dimmit, Albritton and Fuchs.

PAGES APPOINTED.

The Speaker announced the appointment of the following Pages:

Bill Bass, Dreher Crane, James Crim Croft, Vernon Doyle, Ernest Elam, Vernon Guffey, Joe Hemmingway, Woodrow Hilton, James Keltner,

Ben King, Jack Leaverton, Sammie Nabors, Glenn Nelson, Frank Potter, Jr., Henry Rogers, C. N. Root, Ray Saunders, Clyde Stevenson, Richard Bass, Fred Ward, Jack Crosby, and Durwood Yates.

RELATING TO VIOLATIONS OF ANTI-TRUST LAWS.

Mr. Ford offered the following resolution:

Whereas, The business interests of the State, and especially the smaller oil interests, apparently, are being depressed because of inadequate prices and are, apparently, disorganized and ruined to the detriment of the general public by a system of operation that is surely in violation of the statutes of Texas; and

Whereas, It is the opinion of many members of this Legislature that some of the pipe line agencies, purchasing agencies, sales agencies, producing agencies, or other persons, firms, corporations, or associations of persons doing business in this State may have effected a "trust" by a combination of capital, skill or acts by two or more persons, firms, corporations, or associations of persons, or either two or more of them for one or more of the illegal purposes completely set out in Sections 1, 2, 3, 4 and 5, of Article 7426, Revised Civil Statutes of the State of Texas; and

Whereas, It is also the opinion of many members of this Legislature that some of the pipe line agencies, purchasing agencies, sales agencies, producing agencies, or other persons, firms, corporations or associations of persons doing business in this State may have effected a "monopoly" by a combination or consolidation of two or more corporations by one or more of the illegal purposes completely set out in Sections 1 and 2 of Article 7427, Revised Civil Statutes of the State of Texas; and

Whereas, It is also the further opinion of many members of this Legislature that some of the pipe line agencies, purchasing agencies, sales agencies, producing agencies, or other persons, firms, corporations or associations of persons doing business in this State may have committed acts which constitute a conspiracy in restraint of trade in violation of Sections 1 and 2 of Article 7428, Revised Civil Statutes of the State of Texas; and

Whereas, The Attorney General of Texas has many and numerous arduous duties to perform and has only a limited number of assistants to assist him in performing his duties; and

Whereas, The Legislature has implicit confidence in the judgment and ability of our distinguished Attorney General and his assistants, but realizes that it is almost a physical impossibility for them to properly perform all the duties devolving upon them, at this time, without additional assistants; now, therefore, be it

Resolved by the House of Representatives of Texas, That the Attorney General be empowered, authorized and requested to employ such special assistants for the purpose of making a thorough investigation of the system of operation of such pipe line agencies, purchasing agencies, sales agencies and producing agencies, or other persons, firms, corporations or association of persons doing business in this State as he may deem necessary; and be it further

Resolved, That the Attorney General be respectfully requested to immediately investigate and prosecute any discovered violations of our laws against trusts, monopolies and conspiracies in restraint of trade; and be it further

Resolved, That all necessary expenses pertaining to said investigation and prosecution be paid out of the contingent fund of the Forty-second Legislature or any Special Session, to be paid out on sworn accounts, signed by the Attorney General and the Speaker of the House.

FORD,
GRAVES,
JOHNSON of Dimmit,
SANDERS,
HOLDER,
STEWART,
PETSCH,
VAN ZANDT,
ROUNTREE,
JOHNSON of Morris,
WAGSTAFF,
VAUGHAN,
HARMAN.

The resolution was read second time.

Mr. McGregor raised a point of order on further consideration of the resolution on the ground that it seeks to make an appropriation through a resolution.

The Speaker overruled the point of order.

Mr. Vaughan offered the following amendment to the resolution:

Amend the resolution, paragraph 7, line 3, by striking out the word "such" and insert the word "two."

The amendment was adopted.

Mr. Ratliff offered the following amendment to the resolution:

Amend the resolution by inserting just before the last "Whereas," the following:

"Whereas, The appropriation heretofore made for the Attorney General's Department by the Forty-first Legislature and the deficiency appropriation made by the Forty-second Legislature is entirely inadequate to pay the expenses incident to a proper and speedy investigation of such matters as are heretofore set out."

Mr. Cox of Lamar raised a point of order on further consideration of the resolution on the ground that the resolution seeks to authorize the Attorney General to perform duties already prescribed by law.

The Speaker overruled the point of order.

Mr. Justiss moved to table the amendment by Mr. Ratliff, and the motion to table was lost.

Question then recurring on the amendment, it was adopted.

Mr. Sherrill offered the following amendment to the resolution:

Amend the resolution by striking out the last resolving clause thereof.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—34.

Adkins.	Jackson.
Baker.	Jones of Atascosa.
Barron.	Justiss.
Brooks.	Laird.
Caven.	Lasseter.
Coltrin.	Lockhart.
Coombes.	McGill.
Cox of Lamar.	McGregor.
Dale.	Martin.
Daniel.	Satterwhite.
Farrar.	Sherrill.
Fisher.	Smith of Wood.
Giles.	Terrell
Hanson.	of Cherokee.
Hardy.	Terrell
Hefley.	of Val Verde.
Holloway.	Towery.
Hoskins.	Young.

Nays—77.

Adams of Harris.	Kayton.
Adams of Jasper.	Keller.
Adamson.	Kennedy.
Akin.	Lemens.
Alsup.	Lilley.
Anderson.	Long.
Bedford.	McCombs.
Bounds.	Magee.
Boyd.	Mehl.
Brice.	Moffett.
Bryant.	Morse.
Burns of Walker.	Munson.
Carpenter.	Murphy.
Cox of Limestone.	Nicholson.
Dowell.	Petsch.
Duvall.	Ratliff.
Dwyer.	Ray.
Elliott.	Reader.
Farmer.	Rogers.
Ferguson.	Rountree.
Finn.	Savage.
Forbes.	Shelton.
Ford.	Sparkman.
Gilbert.	Stephens.
Goodman.	Steward.
Graves.	Strong.
Greathouse.	Sullivant.
Grogan.	Tarwater.
Harman.	Turner.
Hatchitt.	Van Zandt.
Herzik.	Vaughan.
Hill.	Veatch.
Hines.	Wagstaff.
Holder.	Walker.
Holland.	Warwick.
Hubbard.	West of Coryell.
Hughes.	Wiggs.
Johnson of Morris.	Wyatt.
Jones of Shelby.	

Present—Not Voting.

Cunningham.

Absent.

Bradley.	Leonard.
Dodd.	Olsen.
Donnell.	O'Quinn.
Dunlap.	Patterson.
Englehard.	Pope.
Harrison	Ramsey.
of El Paso.	Richardson.
Harrison	Sanders.
of Waller.	Scott.
Johnson	Smith of Bastrop.
of Dallam.	Weinert.
Lee.	West of Cameron.

Absent—Excused.

Albritton.	Davis.
Beck.	DeWolfe.
Bond.	Fuchs.
Burns	Howsley.
of McCulloch.	Johnson
Claunch.	of Dimmit.

McDougald.
Mathis.
Metcalf.

Moore.
Stevenson.
Westbrook.

Mr. Keller offered the following amendment to the resolution:

Amend resolution by adding after the words "special assistants" in the first resolve clause the words "if necessary, in the opinion of the Attorney General, at a salary of not more than \$350 per month for a period of not longer than twelve months."

Mr. Satterwhite moved that the resolution be referred to the Committee on Appropriations.

Mr. McCombs moved the previous question on the pending amendment, motion to refer the resolution, and the resolution, and the motion was not seconded.

Mr. Petsch moved to table the motion by Mr. Satterwhite.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—61.

Adams of Harris.	Hubbard.
Adamson.	Johnson of Morris.
Alsup.	Keller.
Anderson.	Lee.
Bedford.	Lemens.
Bounds.	Leonard.
Boyd.	Martin.
Bradley.	Mehl.
Brice.	Moffett.
Burns of Walker.	Munson.
Carpenter.	Murphy.
Cox of Limestone.	Nicholson.
Donnell.	O'Quinn.
Dowell.	Petsch.
Duvall.	Ratliff.
Dwyer.	Ray.
Englehard.	Reader.
Farrar.	Rountree.
Ferguson.	Savage.
Finn.	Shelton.
Forbes.	Stephens.
Ford.	Steward.
Giles.	Strong.
Graves.	Turner.
Greathouse.	Van Zandt.
Grogan.	Vaughan.
Harman.	Wagstaff.
Hatchitt.	Walker.
Herzik.	Weinert.
Hill.	West of Coryell.
Hines.	

Nays—56.

Adams of Jasper.	Barron.
Adkins.	Brooks.
Akin.	Bryant.
Baker.	Coltrin.

Coombes.
Cox of Lamar.
Cunningham.
Dale.
Daniel.
Elliott.
Farmer.
Fisher.
Gilbert.
Goodman.
Hanson.
Hardy.
Harrison
of El Paso.
Harrison
of Waller.
Hefley.
Holloway.
Hoskins.
Hughes.
Jackson.
Jones of Shelby.
Jones of Atascosa.
Justiss.
Kayton.
Kennedy.

Laird.
Lockhart.
Long.
McCombs.
McGill.
McGregor.
Magee.
Morse.
Olsen.
Richardson.
Rogers.
Satterwhite.
Scott.
Sherrill.
Smith of Wood.
Sparkman.
Tarwater.
Terrell
of Cherokee.
Terrell
of Val Verde.
Towery.
Veatch.
Wiggs.
Wyatt.
Young.

Absent.

Caven.	Patterson.
Dodd.	Pope.
Dunlap.	Ramsey.
Holder.	Sanders.
Holland.	Smith of Bastrop.
Johnson of Dallam.	Sullivant.
Lasseter.	Warwick.
Lilley.	West of Cameron.

Absent—Excused.

Albritton.	Howsley.
Beck.	Johnson of Dimmit.
Bond.	McDougald.
Burns of McCulloch.	Mathis.
Claunch.	Metcalf.
Davis.	Moore.
DeWolfe.	Stevenson.
Fuchs.	Westbrook.

Question then recurring on the amendment by Mr. Keller, it was adopted.

The resolution as amended was then adopted by the following vote:

Yeas—76.

Adams of Harris.	Boyd.
Adams of Jasper.	Bradley.
Adamson.	Brice.
Akin.	Burns of Walker.
Alsup.	Carpenter.
Anderson.	Donnell.
Barron.	Dowell.
Bedford.	Duvall.
Bounds.	Dwyer.

Elliott.	Mehl.
Ferguson.	Moffett.
Finn.	Munson.
Forbes.	Murphy.
Ford.	Nicholson.
Gilbert.	O'Quinn.
Giles.	Petsch.
Goodman.	Ratliff.
Graves.	Ray.
Greathouse.	Reader.
Grogan.	Savage.
Harman.	Shelton.
Harrison	Smith of Wood.
of Waller.	Sparkman.
Hatchitt.	Stephens.
Herzik.	Steward.
Hill.	Strong.
Hines.	Sullivant.
Holder.	Tarwater.
Hubbard.	Turner.
Hughes.	Van Zandt.
Jackson.	Vaughan.
Johnson of Morris.	Wagstaff.
Jones of Shelby.	Warwick.
Keller.	Weinert.
Kennedy.	West of Coryell.
Lee.	West of Cameron.
Lemens.	Wiggs.
Lilley.	Wyatt.
Martin.	

Nays—43.

Adkins.	Leonard.
Baker.	Lockhart.
Brooks.	Long.
Bryant.	McCombs.
Caven.	McGill.
Coltrin.	McGregor.
Coombes.	Magee.
Cox of Lamar.	Morse.
Cox of Limestone.	Olsen.
Cunningham.	Richardson.
Dale.	Rogers.
Daniel.	Satterwhite.
Englehard.	Scott.
Farmer.	Sherrill.
Farrar.	Terrell
Fisher.	of Cherokee.
Hanson.	Terrell
Hardy.	of Val Verde.
Hefley.	Towery.
Holloway.	Veatch.
Hoskins.	Walker.
Jones of Atascosa.	Young.
Justiss.	

Absent.

Dodd.	Laird.
Dunlap.	Lasseter.
Harrison	Patterson.
of El Paso.	Pope.
Holland.	Ramsey.
Johnson	Rountree.
of Dallam.	Sanders.
Kayton.	Smith of Bastrop.

Absent—Excused.

Albritton.	Beck.
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Bond.	Johnson
Burns	of Dimmit.
of McCulloch.	McDougald.
Claunch.	Mathis.
Davis.	Metcalfe.
DeWolfe.	Moore.
Fuchs.	Stevenson.
Howsley.	Westbrook.

Reasons for Vote.

Among the many reasons why I voted against the resolution of Mr. Ford was the fact that I do not believe it to be constitutional to appropriate to a department of State by resolution money heretofore appropriated by a bill for other purposes, which was done by this resolution; and second, because I do not believe that the Legislature should attempt to dictate to the Attorney General when, where or how to perform his duties. Such officer is a duly elected officer holding his position by the same method that the members of the Legislature are; that is, by a vote of the people, and is accountable to them. In case of any malfeasance in office or any omission to perform his duties it then might devolve upon the Legislature to make some inquiries and take some action relative to the performance of his duties; otherwise, I believe the Legislature is going beyond its duty in attempting to order such officer to perform certain acts or deeds.

HARDY.

We are voting against this resolution for the reason that we think the House has no right to make an appropriation of this character without the consent of the Senate. We are thoroughly in sympathy with the idea of the Attorney General making a thorough investigation of the oil situation in Texas as the resolution indicates, but let's do it in the right way.

SATTERWHITE,
YOUNG.

I voted against the above resolution because there is no limitation on the expense account and for prosecutions, and because I believe it a dangerous and improper method to appropriate money out of the contingent funds to enable a State department to function. I believe, however, an adequate investigation should be made.

FARRAR.

I voted against this resolution because it was irregular for the House separately to make an appropriation out of the contingent fund for any other purpose than regular House expense. I am in favor of the investigation and would have voted for a joint resolution making the appropriation.

ENGELHARD.

I voted against the Ford resolution because the expenses were to be paid out of the House contingent fund. I am highly in favor of the investigation, and favor House bill No. 4 which seeks to appropriate \$30,000 for that purpose.

JUSTISS.

BILL SIGNED BY THE SPEAKER.

The Speaker signed in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

H. B. No. 1, "An Act making an appropriation of the sum of one hundred and fifty thousand dollars (\$150,000), or so much thereof as may be necessary, out of the general revenues, to pay the per diem and mileage of members, the per diem of officers and employes and the contingent expenses of the First Called Session of the Forty-second Legislature of the State of Texas."

PROVIDING FOR INVESTIGATION OF OIL CONSERVATION MATTERS.

Mr. Satterwhite offered the following resolution:

Whereas, The Governor of Texas, recognizing the deplorable condition of oil and gas in this State, has convened the Forty-second Legislature in extraordinary special session for the purpose of enacting such legislation as will adequately provide for the conservation of the natural resources of our State; and

Whereas, It is important that the members of the Legislature have all of the facts as much so as will be possible in connection with the production, marketing, transportation and refining of oil so as to make it possible for intelligent and practical legislation as will give the expected and hoped-for relief; now, therefore, be it

Resolved by the House of Representatives of the First Called Session of the Forty-second Legislature, That

all bills pertaining to conservation of oil and gas in this State be referred to the Committee on Oil, Gas and Mining, and that said committee convene as early as practicable after the passage of this resolution for the purpose of ascertaining such information as will enable the members of the Legislature to act intelligently in the consideration of such legislation; and be it

Resolved, That in order that such information may be definite and as near the facts as practicable the committee is hereby authorized and empowered:

1. To make a thorough and detailed investigation of the development, production, transportation, refining, marketing, both as to wholesale and retail markets, and any and all other matters in connection with the oil and gas business of this State, in which the committee may deem advisable and proper in order to develop such facts as will enable the members of the Legislature to pass just and fair legislation providing for the conservation of the oil and gas resources of this State.

2. That the committee shall have the power to formulate rules of procedure and evidence, and to provide for hours and time of meeting from day to day, not to exceed eight consecutive solar calendar days, not including Sunday, unless further time is granted the committee by resolution adopted by the House. The sessions of the committee shall be held in the Hall of the House of Representatives and shall be open to the public; provided, that no member of the House shall be deprived of the use and privileges of his or her designated desk and chair during the sessions of the committee. The Sergeant-at-Arms of the House and assistants shall maintain order under the direction of the chairman of the committee and, when necessary, in order to maintain order, the privileges of the Hall shall be denied all persons except those permitted under the Rules of the House of the Forty-second Legislature, and such other persons directly connected with the investigation and proceedings of the committee.

3. The committee shall have power to issue process for such person or persons as in the judgment of the committee may be able to give information as may be deemed proper and

necessary, and to compel the attendance of such person or persons, and the production of such books and records as this committee may deem proper for examination, and upon the disobedience of any subpoena said committee shall have power to issue attachments, which may be addressed to and served by the Sergeant-at-Arms of the House, or by the sheriff or constable of any county of this State. The said committee shall have power to administer oaths or affirmation to all persons appearing before the committee for the purpose of giving testimony of information of any nature or kind, and to fix the bond of attached witnesses. Such witnesses compelled to attend sessions of the committee shall be allowed mileage and per diem as the Rules of the House of the Forty-second Legislature provides. All testimony and information as the committee may deem advisable and proper for reference information shall be stenographically reported and the same shall be transcribed and 200 copies mimeographed each day and one copy be supplied to each member of the Legislature.

4. The committee may call upon the Attorney General's Department and the State Auditing Department for assistance and advice, and it shall be the duty of the Attorney General's Department and the State Auditing Department to render opinions, give counsel and assistance when requested to do so by the committee.

5. That witness fees and all other necessary expenses not otherwise provided for incident to such investigation shall be paid out of the appropriation for mileage, per diem and contingent expenses of the First Called Session of the Forty-second Legislature, upon the sworn account of the person entitled to such pay, when approved by the chairman of the committee.

6. Be it further resolved, That during the hearing of said committee any member of the House shall have the right to participate in said hearing and exercise all of the rights and privileges of any other member of said committee, except the right to deliberate and vote on the bill to be reported out.

SATTERWHITE,
STEVENSON.

The resolution was read second time.

Question—Shall the resolution be adopted?

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Graves, Mr. Ford, and Mr. Long:

H. B. No. 3, A bill to be entitled "An Act amending Title 126, Revised Civil Statutes of 1925, making compulsory the personal attendance of out-of-county witnesses in suits involving violations of conservation laws and of laws prohibiting trusts, monopolies or combinations in restraint of trade; providing for the manner of application for and issuance of subpoenas; providing that any witness failing to appear in obedience to subpoena may be punished for contempt; providing that parties to such suit shall tender traveling expenses of such witnesses, where their place of residence is outside the county where such suit is pending; providing for the manner of payment of such witness' costs in case the State requests their personal attendance, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Graves, Mr. Ford and Mr. Long:

H. B. No. 4, A bill to be entitled "An Act making an appropriation of thirty thousand dollars (\$30,000) to be used by the Attorney General for the purpose of paying the expenses of investigating and prosecuting violations of conservation and anti-trust laws of this State, and declaring an emergency."

Referred to Committee on Appropriations.

RECESS.

On motion of Mr. Anderson, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

TO PROVIDE FOR AN INVESTIGATION OF OIL MATTERS.

The House resumed consideration of pending business, same being resolution by Mr. Satterwhite, to provide for an investigation of oil matters, the resolution having heretofore been read second time.

Mr. Hubbard raised a point of order on further consideration of the resolution at this time, on the ground that the time for the consideration of resolutions has expired.

The Speaker sustained the point of order.

Mr. Keller moved that the House Rule which relates to the consideration of resolutions be suspended at this time for the purpose of considering the pending resolution.

The motion prevailed by the following vote:

Yeas—82.

Adams of Jasper.	Holloway.
Adamson.	Hoskins.
Adkins.	Hughes.
Akin.	Johnson
Alsup.	of Dallam.
Barron.	Jones of Shelby.
Bedford.	Justiss.
Bounds.	Kayton.
Boyd.	Keller.
Brice.	Kennedy.
Brooks.	Lasseter.
Bryant.	Lee.
Burns of Walker.	Leonard.
Carpenter.	Lockhart.
Caven.	Long.
Coltrin.	McGregor.
Coombes.	Magee.
Cox of Lamar.	Moffett.
Cox of Limestone.	Olsen.
Dale.	O'Quinn.
Daniel.	Ramsey.
Donnell.	Ray.
Dowell.	Richardson.
Duvall.	Rogers.
Elliott.	Satterwhite.
Englehard.	Shelton.
Farmer.	Sherrill.
Farrar.	Smith of Wood.
Fisher.	Sparkman.
Gilbert.	Sullivant.
Giles.	Tarwater.
Goodman.	Terrell
Greathouse.	of Val Verde.
Hanson.	Towery.
Harman.	Van Zandt.
Harrison	Vaughan.
of El Paso.	Veatch.
Hatchitt.	Walker.
Hefley.	Weinert.
Hines.	West of Coryell.
Holland.	West of Cameron.

Westbrook.
Wiggs.

Wyatt.

Nays—20.

Dwyer.	Munson.
Forbes.	Murphy.
Ford.	Nicholson.
Graves.	Petsch.
Grogan.	Reader.
Holder.	Sanders.
Hubbard.	Steward.
Johnson of Morris.	Strong.
Lilley.	Turner.
McCombs.	Wagstaff.

Absent.

Adams of Harris.	Lemens.
Anderson.	McGill.
Baker.	Martin.
Bradley.	Mehl.
Cunningham.	Morse.
Dodd.	Patterson.
Dunlap.	Pope.
Ferguson.	Ratliff.
Finn.	Rountree.
Hardy.	Savage.
Harrison	Scott.
of Waller.	Smith of Bastrop.
Herzik.	Stephens.
Hill.	Terrell
Howsley.	of Cherokee.
Jackson.	Warwick.
Jones of Atascosa.	Young.
Laird.	

Absent—Excused.

Albritton.	Fuchs.
Beck.	Johnson
Bond.	of Dimmit.
Burns	McDougald.
of McCulloch.	Mathis.
Claunch.	Metcalf.
Davis.	Moore.
DeWolfe.	Stevenson.

Mr. Keller offered the following amendment to the resolution:

Amend resolution by striking out the words "Committee on Oil, Gas and Mining" wherever they appear and insert in place thereof the words "committee of the whole House;" and amend further by making said provisions cumulative and not contrary to the rules governing such committee as set out on pages 32, 33 and 34 of House Rules.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—56.

Adams of Harris.	Adkins.
Adamson.	Alsup.

Boyd.	Lilley.
Brice.	McCombs.
Bryant.	Martin.
Burns of Walker.	Morse.
Carpenter.	Munson.
Cox of Limestone.	Murphy.
Daniel.	Nicholson.
Donnell.	Olsen.
Dowell.	O'Quinn.
Dwyer.	Petsch.
Englehard.	Ray.
Farmer.	Reader.
Forbes.	Rountree.
Ford.	Sanders.
Graves.	Shelton.
Grogan.	Sparkman.
Hatchitt.	Strong.
Hefley.	Sullivan.
Holder.	Tarwater.
Hubbard.	Turner.
Hughes.	Van Zandt.
Johnson of Morris.	Walker.
Jones of Atascosa.	West of Coryell.
Justiss.	West of Cameron.
Keller.	Westbrook.
Lee.	Wiggs.

Nays—52.

Adams of Jasper.	Holloway.
Akin.	Hoskins.
Anderson.	Kayton.
Baker.	Kennedy.
Barron.	Laird.
Bedford.	Lasseter.
Bounds.	Leonard.
Caven.	Long.
Coltrin.	McGregor.
Coombes.	Magee.
Cox of Lamar.	Moffett.
Cunningham.	Ramsey.
Dale.	Richardson.
Davis.	Rogers.
Elliott.	Satterwhite.
Farrar.	Scott.
Fisher.	Sherrill.
Gilbert.	Smith of Wood.
Giles.	Steward.
Goodman.	Terrell
Greathouse.	of Cherokee.
Hanson.	Terrell
Hardy.	of Val Verde.
Harman.	Towery.
Harrison	Vaughan.
of Waller.	Veatch.
Hines.	Young.
Holland.	

Absent.

Bradley.	Herzik.
Brooks.	Hill.
Dodd.	Howsley.
Dunlap.	Jackson.
Duvall.	Johnson
Ferguson.	of Dallam.
Finn.	Jones of Shelby.
Harrison	Lemens.
of El Paso.	Lockhart.

McGill.	Smith of Bastrop.
Mehl.	Stephens.
Patterson.	Wagstaff.
Pope.	Warwick.
Ratliff.	Weinert.
Savage.	Wyatt.

Absent—Excused.

Albritton.	Johnson
Beck.	of Dimmit.
Bond.	McDougald.
Burns	Mathis.
of McCulloch.	Metcalfe.
Claunch.	Moore.
DeWolfe.	Stevenson.
Fuchs.	

Mr. Keller moved to reconsider the vote by which the amendment was adopted and to table the motion to reconsider.

The motion to table prevailed.

Mr. Cox of Lamar offered the following amendment to the resolution: Amend the resolution by adding at the end of paragraph 5, on page 3 of the resolution, the following:

"Provided, that the extra expense for witness fees shall not exceed \$3,000."

On motion of Mr. Petsch the amendment was tabled.

The resolution as amended was then adopted by the following vote:

Yeas—102.

Adams of Harris.	Farmer.
Adams of Jasper.	Farrar.
Adamson.	Fisher.
Adkins.	Forbes.
Akin.	Ford.
Alsup.	Gilbert.
Anderson.	Giles.
Baker.	Goodman.
Barron.	Graves.
Bedford.	Greathouse.
Bounds.	Grogan.
Boyd.	Hanson.
Brice.	Hardy.
Burns of Walker.	Harman.
Carpenter.	Harrison
Coltrin.	of Waller.
Coombes.	Hefley.
Cox of Lamar.	Hines.
Cox of Limestone.	Holder.
Cunningham.	Holland.
Dale.	Holloway.
Daniel.	Hoskins.
Davis.	Hubbard.
Donnell.	Johnson
Dowell.	of Dallam.
Dunlap.	Jones of Atascosa.
Dwyer.	Justiss.
Elliott.	Kayton.
Englehard.	Keller.

Kennedy.	Shelton.
Laird.	Sherrill.
Lasseter.	Smith of Wood.
Lee.	Sparkman.
Leonard.	Stephens.
Lilley.	Strong.
Lockhart.	Sullivant.
McGregor.	Tarwater.
Magee.	Terrell
Martin.	of Val Verde.
Moffett.	Towery.
Munson.	Turner.
Murphy.	Van Zandt.
Olsen.	Vaughan.
Petsch.	Veatch.
Ramsey.	Wagstaff.
Ray.	Walker.
Reader.	Warwick.
Richardson.	West of Coryell.
Rogers.	West of Cameron.
Rountree.	Westbrook.
Sanders.	Wiggs.
Satterwhite.	Young.
Scott.	

Nays—10.

Caven.	Morse.
Harrison	Nicholson.
of El Paso.	O'Quinn.
Hughes.	Steward.
Long.	Terrell
McCombs.	of Cherokee.

Absent.

Bradley.	Johnson of Morris.
Brooks.	Jones of Shelby.
Bryant.	Lemens.
Dodd.	McGill.
Duvall.	Mehl.
Ferguson.	Patterson.
Finn.	Pope.
Hatchitt.	Ratliff.
Herzik.	Savage.
Hill.	Smith of Bastrop.
Howsley.	Weinert.
Jackson.	Wyatt.

Absent—Excused.

Albritton.	Johnson
Beck.	of Dimmit.
Bond.	McDougald.
Burns	Mathis.
of McCulloch.	Metcalf.
Claunch.	Moore.
DeWolfe.	Stevenson.
Fuchs.	

ADDRESS BY HON. J. LEWIS THOMPSON.

Mr. Morse offered the following resolution:

Whereas, The Hon. J. Lewis Thompson, a former member of this House and a distinguished soldier in the War

with Spain and the World War, is present in the gallery; and

Whereas, He is known and held in affectionate regard by all members of the House, some of whom served with him in war and others were his colleagues in this House; and

Whereas, His public services, in war and peace, have reflected credit upon this, his native State; therefore, be it

Resolved, That the Hon. J. Lewis Thompson be invited to address the House and that the Speaker appoint a committee of three to escort him to the stand.

Signed—Morse, McCombs, Cox of Lamar, Patterson, Holland, Adams of Harris, Sanders, Wagstaff, Murphy, Nicholson, Veatch, Gilbert, Holder, Petsch, Dunlap, Keller, Beck, Mathis, Weinert, Herzik, Brooks, Graves, Coltrin, Duvall, Martin.

The resolution was read second time and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee to escort Mr. Thompson to the Speaker's stand: Messrs. Morse, Adams of Harris and Holland.

The committee having performed their duty, Speaker Minor presented Mr. Holland, who in turn introduced Colonel Lewis Thompson.

Mr. Thompson then addressed the House.

ADJOURNMENT.

On motion of Mr. Anderson, the House, at 3:30 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

REPORT OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, July 15, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1, "An Act making an appropriation of the sum of one hundred and fifty thousand dollars (\$150,000), or so much thereof as may be necessary, out of the general revenues, to pay the per diem and mile-

age of members, the per diem of officers and employes and the contingent expenses of the First Called Session of the Forty-second Legislature of the State of Texas, convened on the 14th day of July, 1931, by proclamation of the Governor; to supplement the like appropriation of the Regular Session of said Legislature; to pay any unpaid vouchers or warrants held by members, officers or employes of the Regular Session of said Legislature; to pay any unpaid claims and accounts of members, officers or employes of said session or of other persons, authorized either by the Senate

or the House of Representatives; to pay any and all sums for whatever purpose authorized to be expended by concurrent resolution of the Forty-second Legislature at its Regular Session; to pay the per diem of members, officers or employes for pre-session and post-session work of the First Called Session of said Forty-second Legislature; providing how accounts may be approved and audited, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

In Memory
of
Hon. Huling P. Robertson

Mr. Ray offered the following resolution:

Whereas, The Supreme Master of human destiny in His infinite wisdom has called to eternal sleep and everlasting reward, on June 11, 1931, at Temple, Texas, the Hon. Huling P. Robertson, a former member of this body, an outstanding citizen of Texas, and a fearless crusader for the democratic principles of free government; and

Whereas, The Hon. Huling P. Robertson, 74, was a grandson of the pioneer who more than one hundred years ago colonized the area now embraced in Bell, Milam, Falls and Robertson counties, died Thursday after an illness which had lasted six years; and

Whereas, He was the third son in a family of twelve children born to E. Sterling Robertson of Salado, and was the grandson of Sterling C. Robertson, who obtained from Mexico a concession for colonizing this section of Mexico with immigrants from the United States; and

Whereas, Mr. Robertson represented Bell county in the State Legislature for twelve years, being a member of the Twenty-sixth through the Thirty-second Legislatures, with the exception of the Twenty-seventh. In all that time he was absent but two days, when he was a witness in court in Bell county; and

Whereas, He was active in developing the city of Temple and of Central Texas; therefore, be it

Resolved by the House of Representatives, That the sympathy of this body be extended to Mrs. Huling P. Robertson, wife of the deceased, Mrs. Christian Pamorrow Turner of San Antonio, and Huling P. Robertson, Jr., of Dallas. That a page of the House Journal be dedicated to his memory; that a copy of this resolution be mailed by the Chief Clerk to each surviving member of his family, and that when the House adjourns today, it do so out of honor and respect to Mr. Robertson's memory.

The resolution was read second time.

On motion of Mr. Farrar the names of all the members of the House were added to the resolution as signers thereof.

Signed—Minor, Speaker; Adams of Harris, Adams of Jasper, Adamson, Adkins, Alsop, Albritton, Akin, Anderson, Baker, Barron, Beck, Bedford, Bond, Bounds, Boyd, Bradley, Brice, Brooks, Bryant, Burns of Walker, Burns of McCulloch, Carpenter, Caven, Claunch, Coltrin, Coombes, Cox of Lamar, Cox of Limestone, Cunningham, Dale, Daniel, Davis, DeWolfe, Dodd, Donnell, Dowell, Dunlap, Duvall, Dwyer, Elliott, Engelhard, Farmer, Farrar, Ferguson, Finn, Fisher, Forbes, Ford, Fuchs, Gilbert, Giles, Goodman, Graves, Greathouse, Grogan, Hanson, Hardy, Harman, Harrison of El Paso, Harrison of Waller, Hatchitt, Herzik, Hefley, Hill, Hines, Holder, Holland, Holloway, Hoskins, Howsley, Hubbard, Hughes, Jackson, Jones of Shelby, Jones of Atascosa, Johnson of Dallam, Johnson of Dimmit, Johnson of Morris, Justiss, Kayton, Keller, Kennedy, Laird, Lasseter, Lee, Lemens, Leonard, Lilley, Lockhart, Long, McCombs, McDougald, McGill, McGregor, Magee, Martin, Mathis, Mehl, Metcalfe, Moffett, Moore, Morse, Munson, Murphy, Nicholson, Olsen, O'Quinn, Patterson, Petsch, Pope, Ramsey, Ratliff, Ray, Reader, Richardson, Rogers, Rountree, Sanders, Satterwhite, Savage, Scott, Shelton, Sherrill, Smith of Bastrop, Smith of Wood, Sparkman, Stephens, Stevenson, Steward, Strong, Sullivant, Tarwater, Terrell of Cherokee, Terrell of Val Verde, Towery, Turner, Van Zandt, Vaughan, Veatch, Wagstaff, Walker, Warwick, Weinert, West of Coryell, West of Cameron, Westbrook, Wiggs, Wyatt, Young.

The resolution was then adopted by a rising vote.